

REMARKS

The Office Action dated February 1, 2000 has been carefully reviewed. Claims 1-3, 5-11, 13-18, and 20 are pending in this patent application. Reconsideration of the patent application is respectfully requested in view of the following remarks.

35 U.S.C. § 103(a) Rejection of Claims 1-3, 5-11, 13-18 and 20 (Burton).

Claims 1-3, 5-11, 13-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Burton (U.S. Patent No. 5,769,596). Specifically the Examiner states on page 3 lines 3-5 of the office action the following:

It would have been obvious to use conventional hydraulic actuators in lieu of the electric actuator in Burton in view of the fact that Burton replaces conventional hydraulic actuators with an electrical actuator. See Burton, Column 4, lines 18-27.

Discussion Re: Patentability of Claim 1

Claim 1, as amended, reads as follows:

1. A method of verifying proper coupling of an implement assembly to a lift arm assembly by an operator who is located in a cab of a work machine, with (i) the work machine including the implement assembly and the lift arm assembly, (ii) the implement assembly including a hinge plate, (iii) the hinge plate having a first coupling aperture extending therethrough, (iv) the lift arm assembly having a lift arm and a cylinder, and (v) the cylinder being secured to the lift arm, comprising the steps of:

providing an implement coupler having (i) a first outside support plate, (ii) a second outside support plate spaced apart from the first outside support plate, (iii) a first inside support plate interposed the first and second outside support plates, (iv) a second inside support plate spaced apart from the first inside support plate and interposed the first and second outside support plates, (v) a center box section interposed the first and second inside support plates, and (vi) a rear box section interposed the first and second outside support plates;

positioning the cylinder within the rear box section;

advancing a hydraulic fluid into the cylinder so as to move a pin from a first pin position to a second

pin position, wherein (i) the pin is spaced apart from the first coupling aperture when the pin is located in the first pin position, and (ii) the pin extends through the first coupling aperture when the pin is located in the second pin position; and

viewing the pin when the pin is located in the second pin position by the operator from a position within the cab whereby proper coupling of the implement assembly to the lift arm assembly is verified by the operator without having to exit the cab. (Emphasis added)

Based upon the language recited in claim 1 the Examiner will appreciate that the subject method includes (A) providing an implement coupler having (i) a first outside support plate, (ii) a second outside support plate spaced apart from the first outside support plate, (iii) a first inside support plate interposed the first and second outside support plates, (iv) a second inside support plate spaced apart from the first inside support plate and interposed the first and second outside support plates, (v) a center box section interposed the first and second inside support plates, and (vi) a rear box section interposed the first and second outside support plates and (B) positioning the cylinder within the rear box section. Burton is devoid of any discussion pertaining to above discussed subject matter. Accordingly, Burton can not be relied upon to support an appropriate rejection under 35 U.S.C. § 103(a). Therefore, in light of the above discussion Applicants respectfully request that the subject rejection be withdrawn.

Discussion Re: Patentability of Claims 2, 3, 5, and 6

Each of claims 2, 3, 5, and 6 include claim 1 as a base claim. As a result, each of claims 2, 3, 5, and 6 are believed to be allowable for the reasons hereinbefore discussed with regard to claim 1. Moreover, each of claims 2, 3, 5, and 6 include additional novel and non-obvious limitations. As a result, Applicants respectfully request that the rejection of claims 2, 3, 5, and 6 be withdrawn.

Discussion Re: Patentability of Claim 7

Claim 7, as amended, reads as follows:

7. A method of verifying proper coupling of an implement assembly to a lift arm assembly by an operator who is located in a cab of a work machine, with (i) the work machine including the implement assembly and the lift arm assembly, and (ii) the implement assembly having a first coupling aperture, comprising the steps of:

providing an implement coupler having (i) a first outside support plate, (ii) a second outside support plate spaced apart from the first outside support plate, (iii) a first inside support plate interposed the first and second outside support plates, (iv) a second inside support plate spaced apart from the first inside support plate and interposed the first and second outside support plates, (v) a center box section interposed the first and second inside support plates, and (vi) a rear box section interposed the first and second outside support plates;

positioning a cylinder within the rear box section;

advancing a hydraulic fluid into the cylinder so as to move a pin from a first pin position to a second pin position, wherein (i) the pin is spaced apart from the first coupling aperture when the pin is located in the first pin position, and (ii) the pin is positioned within the first coupling aperture when the pin is located in the second pin position; and

viewing the pin when the pin is located in the second pin position by the operator from a position within the cab whereby proper coupling of the implement assembly to the lift arm assembly is verified by the operator without having to exit the cab. (Emphasis added)

Based upon the language recited in claim 7 the Examiner will appreciate that, like claim 1, the subject method includes (A) providing an implement coupler having (i) a first outside support plate, (ii) a second outside support plate spaced apart from the first outside support plate, (iii) a first inside support plate interposed the first and second outside support plates, (iv) a second inside support plate spaced apart from the first inside support plate and interposed the first and second outside support plates, (v) a center box section interposed the first and second inside support plates, and (vi) a rear box section interposed the first and second outside support plates

and (B) positioning the cylinder within the rear box section. Therefore, the discussion relating to claim 1 is pertinent to claim 7. Accordingly, Applicants respectfully request that the rejection of claim 7 be withdrawn.

Discussion Re: Patentability of Claims 8-11, 13 and 14

Each of claims 8-11, 13 and 14 include claim 7 as a base claim. As a result, each of claims 8-11, 13 and 14 are believed to be allowable for the reasons hereinbefore discussed with regard to claim 7. Moreover, each of claims 8-11, 13 and 14 include additional novel and non-obvious limitations. As a result, Applicants respectfully request that the rejection of claims 8-11, 13 and 14 be withdrawn.

Discussion Re: Patentability of Claim 15

Claim 15, as amended, reads as follows:

15. A work machine, comprising:
a cab in which an operator may be located;
an implement assembly having an implement and a hinge plate secured thereto, wherein said hinge plate has a first coupling aperture extending therethrough;
a lift arm assembly having a lift arm;
an implement coupler having (i) a first outside support plate, (ii) a second outside support plate spaced apart from said first outside support plate, (iii) a first inside support plate interposed said first and second outside support plates, (iv) a second inside support plate spaced apart from said first inside support plate and interposed said first and second outside support plates, (v) a center box section interposed said first and second inside support plates, and (vi) a rear box section interposed said first and second outside support plates, said implement coupler being interposed and secured to said lift arm assembly and said implement assembly; and
a cylinder positioned within said rear box section,

wherein (i) said cylinder is operable to move a pin between a first pin position and a second pin position in response to advancement of a hydraulic fluid within said cylinder, (ii) said pin is spaced apart from said coupling aperture when said pin is located in said first pin position, (iii) said pin extends through said coupling aperture when said pin is located in said second pin position, (iv) said pin

is positioned within a field of vision of said operator when (A) said pin is located in said second pin position, and (B) said operator is located within said cab. (Emphasis added)

Based upon the language recited in claim 15 the Examiner will appreciate that, like claims 1 and 7, the subject matter claimed therein includes (A) an implement coupler having (i) a first outside support plate, (ii) a second outside support plate spaced apart from the first outside support plate, (iii) a first inside support plate interposed the first and second outside support plates, (iv) a second inside support plate spaced apart from the first inside support plate and interposed the first and second outside support plates, (v) a center box section interposed the first and second inside support plates, and (vi) a rear box section interposed the first and second outside support plates. The subject matter also includes a cylinder positioned within the rear box section. Therefore, the discussion relating to claims 1 and 7 is pertinent to claim 15. Accordingly, Applicants respectfully request that the rejection of claim 15 be withdrawn.

Discussion Re: Patentability of Claims 16-18 and 20

Each of claims 16-18 and 20 include claim 15 as a base claim. As a result, each of claims 16-18 and 20 are believed to be allowable for the reasons hereinbefore discussed with regard to claim 15. Moreover, each of claims 16-18 and 20 include additional novel and non-obvious limitations. As a result, Applicants respectfully request that the rejection of claims 16-18 and 20 be withdrawn.

**35 U.S.C. § 103(a) Rejection of Claims 1-3, 5-11, 13-18 and 20
(Burton and Bloom, Jr.)**

Claims 1-3, 5-11, 13-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Burton (U.S.

Patent No. 5,769,596) in view of Bloom, Jr. (U.S. Patent No. 5,010,962). Specifically the Examiner states on page 3 lines 8-9 of the office action the following:

It would have been obvious to substitute an hydraulic cylinder for the actuator in Burton in view of the teaching in Bloom (element 60).

As discussed above Burton is devoid of any discussion pertaining to an implement coupler having the previously discussed support plates and box sections. Like Burton, Bloom is also devoid of any discussion of the aforementioned subject matter. Therefore, the proposed Burton/Bloom combination does not arrive at the invention set forth in the rejected claims. Accordingly, Applicants respectfully request that the subject rejection be withdrawn.

**35 U.S.C. § 103(a) Rejection of Claims 1-3, 5-11, 13-18 and 20
(Kim and Burton)**

Claims 1-3, 5-11, 13-18 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Patent No. 5,865,594) in view of Burton (U.S. Patent No. 5,769,596). Specifically the Examiner states on page 3 lines 8-9 of the office action the following:

It would have been obvious to lengthen the pins in Kim to provide visual checks from the cab in view of the teaching in Burton.

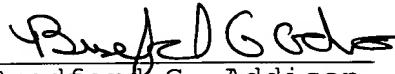
Burton is devoid of any discussion pertaining to an implement coupler having the previously discussed support plates and box sections. Like Burton, Kim is also devoid of any discussion of the aforementioned subject matter. Therefore, the proposed Burton/Kim combination does not arrive at the invention set forth in the rejected claims. Accordingly, Applicants respectfully request that the subject rejection be withdrawn.



Conclusion

In view of the foregoing amendments and remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

Respectfully submitted,



Bradford G. Addison
Attorney for Applicants
Registration No. 41,486

May 12, 2000

Maginot, Addison & Moore
Bank One Tower
111 Monument Circle, Suite 3000
Indianapolis, Indiana 46204-5130
Phone: (317) 638-2922
Fax: (317) 638-2139

RECEIVED
MAY 23 2000
TC 3600 MAIL ROOM